



Office of the Director

150 N. 18th Avenue, Suite 500
Phoenix, Arizona 85007-3247
(602) 542-1025
(602) 542-1062 FAX

JANET NAPOLITANO, GOVERNOR
CATHERINE R. EDEN, DIRECTOR

ARIZONA DEPARTMENT OF HEALTH SERVICES

ADMINISTRATIVE ORDER 2005-01 (Emergency Measures for West Nile virus)

WHEREAS, the Director of the Department of Health Services may define and prescribe emergency measures for detecting, reporting, preventing, and controlling communicable or infectious diseases or conditions the Director has reasonable cause to believe pose a serious threat to public health and welfare, pursuant to A.R.S. § 36-136(G); and

WHEREAS, there is a need to give authority to public health officials to abate mosquito breeding places on unoccupied or abandoned private property; and

WHEREAS, the need for the emergency measures is established by the following:

- 1 West Nile virus represents a serious threat to the public health. In 2004, there were 391 cases of West Nile virus infection in Arizona including 15 deaths.
2. Preventing the spread of the West Nile virus is dependent upon effective mosquito abatement to eliminate the breeding of mosquitoes that spread the virus.
3. The unusually wet winter of 2004 – 2005 poses an increased threat for the breeding of mosquitoes in Arizona from standing water at abandoned, uninhabited or unoccupied private property.

NOW, THEREFORE, I, Catherine R. Eden, by virtue of the authority vested in me as the Director of the Arizona Department of Health Services under Arizona Revised Statutes § 36-136(G), do hereby Order the following emergency measures to be adopted for preventing, and controlling West Nile virus in Arizona:

1. A local health officer that is investigating a public health nuisance dangerous to public health due to the presence of standing water such as a neglected swimming pool that is breeding mosquitoes capable of transmitting disease-causing organisms shall have the authority to recommend to a private property owner measures to abate mosquito breeding on the property. When standing water is creating a public health nuisance dangerous to public health due to mosquito breeding at abandoned, uninhabited, or unoccupied property, the local health official may implement the recommended mosquito abatement measures without prior consent from the property owner.
2. A local health officer that implements mosquito abatement measures in accordance with this Order shall be a Licensed Pesticide Applicator in Category B1 – General and Public Health Pest Control, by the State of Arizona Structural Pest Control Commission.
3. This Order shall be in effect until September 28, 2006, unless renewed prior to that date.

I have executed this Order on this day 29th
March 2005, having the authority to do so
under Arizona Law.

Catherine R Eden

DIRECTOR

ON this 29th day of March 2005,
Catherine R. Eden, Director of the Arizona
Department of Health Services signed and
acknowledged this document in my
presence.

W. Fumble
ADHS Director
EPK